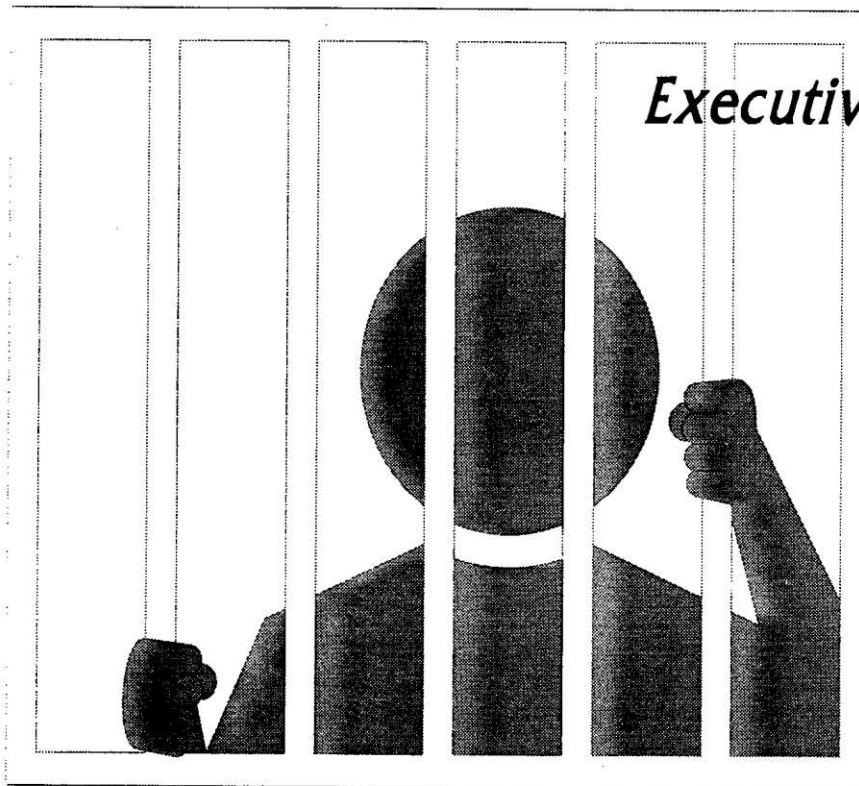


# BI-COUNTY JAIL OVERCROWDING STUDY



*Executive Summary*  
*April, 1990*

Prepared by:

**Long Island Regional Planning Board**

**H. Lee Dennison Building**

**Veterans Memorial Highway**

**Hauppauge, New York 11788-5401**

BI-COUNTY JAIL OVERCROWDING STUDY

Executive Summary

Long Island Regional Planning Board  
April, 1990



LONG ISLAND REGIONAL PLANNING BOARD

Morton Certilman  
Chairman

John J. Hart, Esq.  
Vice Chairman

Patrick F. Caputo  
Frank Cipriani  
Dr. Carl L. Figliola  
John Wickham

Lee E. Koppeiman  
Executive Director

NASSAU COUNTY

SUFFOLK COUNTY

Ex Officio

Ludwig Hasl  
Commissioner  
Department of Public Works

Joseph Hurley  
Commissioner  
Department of Public Works

Peter T. King  
Comptroller

Joseph Caputo  
Comptroller

Advisory

Honorable Thomas S. Gulotta  
County Executive

Honorable Patrick G. Halpin  
County Executive

Honorable Joseph N. Mondello  
Presiding Supervisor  
County Board of Supervisors

Honorable Donald Blydenburgh  
Presiding Officer  
County Legislature

County Coordination

Herbert J. Libert

Arthur Kunz

PARTICIPATING STAFF

Report Preparation

Fred Rosenberg  
Roy Fedelem

Supporting Staff

Arthur H. Kunz  
James Bagg  
Gail Calfa  
Caren Cronin  
Paula Davantzis  
Walter Dunne (Consultant)  
Thomas Frisenda  
James Gardella  
Lucille Gardella  
Barbara Horoski  
Teresa Kinkead  
Peter Lambert  
Penny Lasquadro  
Carl Lind  
Sandy Martin  
Scott Shapiro  
Anthony Tucci

## THE BI-COUNTY JAIL OVERCROWDING STUDY

### Report Highlights

#### I. JAIL POPULATION FORECAST

##### A. Nassau County

From 1990 to 2010 Nassau's daily average jail population is expected to vary between 2,000 and 2,200 roughly.

At times, the jail population may reach much higher peaks for short periods of time depending upon the timing of drug sweeps, the State's readiness to take prisoners sentenced to State prisons, etc. These peaks have been as much as 500-600 above yearly averages in the past. They could go to 2,900 in the near future, but should be lower later. The evidence for 1989 indicates a much lower difference between peak and average, 2,184 versus 2,038.

##### B. Suffolk County

Suffolk's daily average jail population is projected at 1,500 for 1990, will climb to over 1,700 by 1995 and should then stabilize at about 1,600 thereafter.

The peak jail population could reach near 1,800 this year, go to 2,000 by 1995 and be between 1,800 and 1,900 thereafter.

#### II. THE BASES OF THE JAIL POPULATION FORECASTS

The forecasts were based upon a number of factors initially drawn from examination of demographic characteristics of the 1988 jail population in each county, related to the types of crime committed. A focus of the examination was the characteristics of

those people incarcerated for crimes involving drugs.

Table 1

JAIL INMATES 1988, AND PROJECTED JAIL INMATES,  
NASSAU AND SUFFOLK COUNTIES 1990-2010

NASSAU COUNTY

	1988	1990	1995	2000	2005	2010
Highest Number	2,053	2,903	2,875	2,613	2,697	2,701
Average Number	1,536	2,188	2,181	1,985	2,048	2,051

SUFFOLK COUNTY

	1988	1990	1995	2000	2005	2010
Highest Number	1,261	1,779	2,000	1,857	1,896	1,835
Average Number	1,071	1,528	1,733	1,612	1,643	1,593

Source: Long Island Regional Planning Board

With the two counties having about the same population, Nassau's inmates numbered considerably more than Suffolk's. A major reason for this difference is that 30% of Nassau's inmates are non-residents with two-thirds of this group coming from adjacent New York City. About 11% of Suffolk's inmates are non-residents.

In both counties the preponderant age group in the jail was 21-29, comprising between 45% and 50% of all inmates. The next most numerous age group in jail consisted of those 30-39 with about one quarter of the total. In both counties roughly half of all inmates were black in 1988, and half were white.

Nassau County's 20-29 white age group was expected to decline about 25% in the next twenty years, going from 147,000 + to 108,000 +. Its white 30-39 group was expected to go from 211,000 to 115,000, a very sharp decline.



Table 2

## Jail Admissions by Age - 1988

<u>Age</u>	<u>Nassau</u>		<u>Suffolk</u>	
	<u>#</u>	<u>%</u>	<u>#</u>	<u>%</u>
Under 19	1,003	9.3	1,467	9.3
19-20	1,090	10.1	1,380	8.8
21-29	4,888	45.3	7,713	49.1
30-39	2,696	25.0	3,728	23.7
40-54	930	8.6	1,255	8.0
55-64	169	1.6	138	.9
65 and over	22	.2	28	.2
Total	10,798	100.0	15,709	100.0

Sources: Nassau County Sheriff, Annual Report to the New York State Correction Commission, 1988.  
 Suffolk County Sheriff, Annual Report to the New York State Correction Commission, 1988.

Table 3

## Jail Admissions by Race and Spanish Origin - 1988

<u>Ethnic Group</u>	<u>Nassau</u>		<u>Suffolk</u>	
	<u>#</u>	<u>%</u>	<u>#</u>	<u>%</u>
White	3,853	35.7	6,714	42.7
Black	5,915	54.8	7,786	49.6
Hispanic	750	6.9	1,187	7.6
Other	280	2.6	22	0.1
Total	10,798	100.0	15,709	100.0

Sources: Nassau County Sheriff, Annual Report to the New York State Correction Commission, 1988.  
 Suffolk County Sheriff, Annual Report to the New York State Correction Commission, 1988.

Nassau's black 20-29 age group is expected to fall from 18,000 + to 15,000. Its 30-39 population is expected to rise from 17,000 + to 21,000 by 2000 and then fall to about 13,700.

To deal with the expected impact of drug arrests and incarcerations which rose sharply in 1988, the projections incorporated a doubling of drug incarcerations from 1988 levels for both counties.

Analysis of the 1989 Sheriff's Annual Report for each county showed an increase in the average length of stay for each inmate that could not be explained by the impact of increased drug arrests. Accordingly the projections were raised by another 5%. This increase followed observation of increase of length of inmate jail stay from 1983 onward.

In Nassau County average days in jail increased from 41 in 1983 to almost 59 in 1989. Almost all of this increase was for pre-trial inmates who comprise 70% of the jail population.

In Suffolk County the average inmate stay has increased slightly in the same period, but the differences in recording data make it difficult to evaluate their reliability. However an analysis of the 1989 increase in number of days in jail for all inmates showed that at least part of this could not be explained by increases in drug arrests. Accordingly Suffolk's projection of jail population was raised by 5%.

Table 4

Change in Age Distribution of Population Significant For  
Jail Projection, Nassau County 1990-2010

Age Group	White Population				
	Number				
	1990	1995	2000	2005	2010
15-19	79,093	62,832	72,953	69,761	72,838
20-29	147,480	131,622	100,643	114,756	108,562
30-39	211,048	197,030	167,882	131,367	115,453
40-49	172,183	204,035	227,222	215,972	183,693

Percentage of 1990					
15-19	100.0	79.4	92.2	88.2	92.1
20-29	100.0	89.2	68.2	77.8	73.6
30-39	100.0	93.4	79.5	62.2	54.7
40-49	100.0	118.5	132.0	125.4	106.7

Black Population					
Number					
15-19	8,775	7,430	9,784	10,102	10,931
20-29	18,525	16,340	11,998	14,548	15,197
30-39	17,620	20,067	21,046	16,402	13,767
40-49	16,755	18,064	18,910	22,110	23,010

Percentage of 1990					
15-19	100.0	84.7	111.5	115.1	124.6
20-29	100.0	88.2	64.8	78.5	82.0
30-39	100.0	113.9	119.4	93.1	78.1
40-49	100.0	107.8	112.9	132.0	137.3

Source: Long Island Regional Planning Board

Table 5

Change in Age Distribution of Population Significant for  
Jail Projection, Suffolk County 1990-2010

Age Group	White Population				
	1990	1995	2000	2005	2010
15-19	88,242	76,915	84,464	85,723	98,043
20-29	196,984	191,077	142,392	162,753	150,867
30-39	246,728	268,828	266,072	223,254	198,219
40-49	178,513	195,649	240,475	272,179	262,440
Percentage of 1990					
15-19	100.0	87.2	95.7	97.1	111.1
20-29	100.0	97.0	72.3	82.6	76.6
30-39	100.0	109.0	107.8	90.5	80.3
40-49	100.0	109.6	134.7	152.5	147.0
Black Population					
Number					
15-19	7,733	6,666	6,532	7,412	9,371
20-29	15,552	16,809	12,601	13,337	12,358
30-39	14,560	17,809	21,260	19,652	17,283
40-49	11,014	11,577	14,228	18,098	21,070
Percentage of 1990					
15-19	100.0	86.2	84.5	95.8	121.2
20-29	100.0	108.1	81.0	85.8	79.5
30-39	100.0	122.3	146.0	135.0	118.7
40-49	100.0	105.1	129.2	164.3	191.3

Source: Long Island Regional Planning Board

### III. JAIL CAPACITY

All of Nassau's jail capacity existing and under construction is located in East Meadow on Carman Avenue, just north of the Nassau County Medical Center.

Table 6

#### Existing and Planned Capacity of Nassau County's Jail

Time of Existence and Facility	Type of Facility		Capacity Total
	Permanent	Temporary	
<u>Existing</u>			
Core	897		
Satellite	480		
Satellite Modules		300	
Annex		<u>296</u>	
Total	1,377	596	1,973
<u>Near Future</u>			
Two Trailers		300	
Women's Building	200		
incl. Infirmary	<u>41</u>		
	241	300	541
<u>1993-1994</u>			
New Building	832		
Undouble Bunking in Core	<u>-89</u>		
	743		<u>743</u>
Total	2,361	896	3,257

Suffolk County's jail capacity, existing and under construction, has two locations, one at the County Center in Riverhead and the second in the County complex in Yaphank.

Table 7

## Existing and Planned Capacity of Suffolk County's Jail

Time of Existence and Facility	Type of Facility		Capacity Total
	Permanent	Temporary	
<u>Existing</u>			
Maximum Security, Riverhead	487		
Honor Farm-Minimum Security Yaphank	480		
DWI, Yaphank	<u>29</u>		
Total	996		996
<u>Near Future</u>			
Riverhead	240		
Riverhead Renovation	<u>38</u>		
	278		278
Total	1,274		1,274

### Nassau's Situation

Assuming no change, for the moment, in administration of criminal justice systems and no introduction of new programs, analysis of the projected jail populations and capacity shows that each county faces a different situation in the years ahead. For both, these years can be viewed in terms of the immediate future and a longer time frame. In this section Nassau's situation will be reviewed first.

### The Immediate Future

The immediate future for Nassau shows an average daily jail population of about 2,200 -- starting in 1990 -- and continuing to about 1995. It is possible, but judged unlikely that in this same period, peak populations could soar to roughly 2,900.

To handle these loads, the Correctional Center now has a capacity of 1,973 with additional capacity of 541 -- see Table 6 - - scheduled for operations within the next year or two. This would bring capacity of permanent and temporary facilities to 2,514.

In this period Nassau is boarding out roughly 200 of its inmates to upstate jails.

If population rises beyond the 2,200 level at first and then begins to approach the 2,900 peak, what are Nassau's options?

First, the two trailers that were scheduled to be ready in the near future should be fully occupied by mid year. This should add

300 bed capacity

Second, the women's building with the added infirmary beds is scheduled for occupancy in the Fall of 1990. This would add another 241 beds.

This total capacity in Fall, 1990 should be 2,514. This is sufficient to take care of the projected average daily occupancy of 2,200 in the next five years. It will take care of any increase up to 2,500, without however discontinuing use of the annex or of any of the trailers, old or new. If the boarding of 200 or more inmates in upstate jails continues, this would allow population in Nassau to climb an equivalent amount. However, if the inmate population climbs to the 2500-2700 level, this does not allow any flexibility for classification functions or housing of inmates by criminal characteristics. Should the inmate population climb above these levels -- toward the 2,900 mark -- severe overcrowding problems also begin to appear.

Thus, although capacity will reach 2,500 later this year. three serious capacity problems may still occur: one, inability to discontinue temporary/emergency facilities; two, inability to handle classification properly; three, overcrowding. Since any new construction could not be ready in time to handle these problems, what are Nassau's options?

One option is to continue boarding out inmates to upstate jails and increase this if possible and necessary. Boarding out is now being done, and even without a peak population crisis arising, may be continued for some time so that classification



flexibility may be maintained. A second option is to overcrowd for limited periods of time with double bunking in cells. A third option may be imposed as judicially ordered release of inmates may occur when overcrowding occurs. A fourth option is to make changes in the administration of the criminal justice system and to introduce new programs that will reduce the need for jail cells. This last option will be discussed below. A fifth option is the possibility of combining aspects of all of these. Each of these options has possibilities of being introduced in some measure within relatively short periods of time, in some cases within a few months at most.

#### The Long Term

For the long term, Nassau's daily average population will stay in the 2,000-2,100 level, and its peak may go to 2,700. With permanent capacity at 2,361 by 1993-1994, what are Nassau's situations and options?

In terms of daily average population, the permanent capacity is adequate to provide for it and would allow for almost all the classification flexibility desired. The problem then is one of dealing with peak demands which can arise from drug sweeps, and delay in transfer of State ready inmates, etc.

The options are as follows. First, as long as the increases above the average do not exceed 2,361, give up classification flexibility for the relatively short peak periods. With increases above this, especially if they recur periodically or fairly often,

boarding out still remains an option. Overcrowding with double bunking and the possibility of relying on judicially ordered release to relieve overcrowding is still another option. A fourth option is retention -- if feasible -- of a sufficient quantity of the temporary - emergency cells in the annex and the trailers for use only in these peak periods. A fifth option is the construction of new permanent facilities to take care of the peak overloads. A sixth option is the introduction of new programs and administrative changes in the operation of the criminal justice system that would reduce the need for jail cells. Again, a combination of these may be used.

#### If There Is Construction

Administrative and program changes plus some of the other measures should avoid the need for construction of new jail cells. Careful monitoring and analysis of arrest and incarceration patterns in the next two years, along with analysis of impact of program changes should provide a more informed picture of future needs. If Nassau County should decide that it still wants to provide for peak jail populations through new permanent construction, the following considerations entered into selection of site options.

Depending on the size of a new jail which could run from 240 to 480 cells for example, an area of ten to twenty acres might be needed. If construction were inside the perimeter of the existing Correctional Center on Carman Avenue, a tighter design might be

used. If the construction were elsewhere, consideration could be given to designing the new jail for accommodation of inmates who would be incarcerated for relatively short periods, say up to fifteen days for violations, infractions, lesser misdemeanors etc. This might help in considering community reaction. Three potential sites were considered.

First, replacement in the spaces occupied by temporary and emergency facilities on Carman Avenue can be considered. This has the advantage of being incorporated with existing facilities and staff. In terms of space needs, it provides a very tight and highly dense area.

Second, there is the old medical center in Plainview, which has existing buildings that might be converted to jail use and has far more than sufficient area -- over 50 acres to accommodate jail needs.

Third, there are over 50 vacant acres of Oyster Bay town property between Washington Terrace Park, the Long Island Expressway and the Nassau-Suffolk County line that might be used.

These suggestions for new jail location are advanced with the sense that such construction may be unnecessary. Changes in program and administration plus construction underway and some of the other options noted above should be sufficient to handle future capacity needs.

### Suffolk's Situation

Although there are both immediate and long term considerations that must be evaluated, priority has to be given to Suffolk's immediate crisis needs for dealing with a rapidly growing jail population.

### The Immediate Future

In 1988 the average daily jail population was 1,071. In 1989 it was 1,261. The projected average for 1990 is 1,528. It is anticipated that by 1995 it will be over 1,700. In February and March of 1990 the inmate population has fluctuated from over 1,300 to over 1,450, depending in part upon transfer of State ready inmates.

To handle these loads the jail now has an existing capacity of 996. A new jail with 240 capacity is expected to open in June of 1990 and a renovation at Riverhead, expected completion this year, will yield another 38 cells. The total capacity later this year will be 1,274.

It is obvious that it would be extremely difficult at best to prepare any new facilities this year, even of an emergency nature. Thus other options must be considered that can be used relatively quickly.

One obvious alternative is to board inmates upstate. A small number are sent to county jails upstate, but more could be done.

This could be done relatively quickly. Nassau has made much greater use of this alternative, but the costs are high.

A decision to overcrowd apparently has already been taken. How much more can be done in this way is problematic at the moment. With the opening of the new 240 unit building in June -- if then -- a good deal of the overcrowding will be eliminated, but it will still exist. If inmate population moves towards the 1990 high of 1,779 or towards the 1995 average of 1,733, the level of overcrowding that exists now, will reappear.

Judicial release is a real possibility as well as an alternative option. It has been used in the past and may be again if steps are not taken to ease overcrowding. Decisions directing the Sheriff to release inmates when a specified population level is reached, could be made at any time.

Administrative and program changes to reduce length of stay in jail when this is feasible and advisable -- could be introduced this year and begin to have an impact this year. Recommendations thereto will be discussed below.

Any combination of the above alternatives may be used.

### The Long Term

The average daily population is expected to climb to more than 1,700 by 1995 and then stay at about the 1,600 level from 2000 on to 2010. Peak loads of 2,000 by 1995 should run from 1,800 to 1,900 thereafter. These estimates of jail population generated need, make no allowance for classification flexibility.

Accordingly it is recommended that an immediate start be made on construction of a new 240 cell jail with specifications for functions to be decided in relation to location, as discussed below. This will bring capacity to a bit over 1,500.

Why build to only 1,500 when the long term picture indicates an average daily jail population of 1,700 in 1995 and between 1,500-1,600 thereafter? Further, with an average of 1,600 for example, fluctuation can increase inmate population to 1,800-1,900. Why not build more and also start at once?

The projections have been made without any consideration of administrative and program changes that might substantially reduce peak as well as average daily inmate population. If such measures were taken -- and an immediate beginning is recommended to deal with the current emergency overcrowding -- they might also provide sufficient reduction so that average day flexibility for classification functions is provided. In the face of the County's fiscal position, providing such flexibility for periods of peak population is an option that can be deferred for the present.

If capacity goes to 1,500 long term, and jail population rises beyond this level, after utilization of program changes, etc., other options can be considered for the long term. These include, as discussed earlier, overcrowding with double bunking, judicial release, boarding out. Another option would be construction beyond the 240 new cells recommended above. However, consideration of this should be deferred for at least two years until requisite program changes have been adopted and observation of their impact

has been made.

#### Location of a New Jail

Where should a new jail be? In part this depends on the functions of the jail, and its relation to other aspects of the criminal justice system. By the end of this year it is expected that all felony parts of Suffolk's court system -- the county courts -- will be operating only in Riverhead. Those persons charged with misdemeanors, violations, infractions and generally those initially charged and arraigned for felonies must first appear in lower courts. These may be district court parts in Hauppauge or East End town courts or village courts. The great majority of cases are usually processed through the Hauppauge courts, and those defendants held for trial are transported to the Riverhead jail. Some of these defendants may be transported from Riverhead to Hauppauge and back several times before final disposition of their case is achieved.

In these circumstances three general areas for a new jail were considered: one at Riverhead; one near the new Central Islip court complex; one at Yaphank.

Location of the new jail at Riverhead would have the advantage of making use of the existing staff and organization already there with economies of scale, and allow for expansion and utilization of office space, kitchen facilities equipment, etc. It has two major drawbacks. One is the continued cost of transportation of inmates between Riverhead and western Suffolk. This is also time consuming and sometimes contributes to delays in court processing

because of the difficulties of scheduling and/or moving inmates from the jail to the court. The second difficulty arises from environmental concerns. A new jail would be in an area dedicated to the Suffolk County nature preserve, on filled land between two rivers with a very high water table. The State Department of Environmental Conservation is not allowing added sewage flow -- beyond those coming from the jail that is to open in June -- into this area at this time, because of brown tide problems. Given the environmental sensitivity of the area, approval of additional construction is unlikely.

The second area considered was in the vicinity of the under-construction Central Islip Court Complex. The arguments for this location run along a number of lines. One is the lower costs of transportation involved in moving those inmates held there. A second is the consequent improvement in scheduling and court appearances that could occur as a result of more convenient access. A third is that this convenience would extend to defense attorneys and county personnel involved in criminal court processes. A fourth is that this convenience could be enhanced by incorporating construction of space for classification functions and interview rooms for attorneys--both private and public--probation officers and medical, mental health drug and alcohol counselors as needed.

It is proposed that this new building be used primarily for those inmates in jail up to 15 days -- those incarcerated for violations, infractions and minor misdemeanors. These inmates incarcerated for fifteen days or less constituted almost 10,000 of



the 14,000 for whom length of stay was recorded in 1989. Moving most of them from Hauppauge Court to Riverhead jail and sometimes back must have involved a great deal of expense, time and inconvenience, especially in relation to the short periods of incarceration involved.

There is a negative side to location in this area. One is the necessity of duplicating aspects of equipment, staffing and organization now at Riverhead. These would include kitchen facilities, storage spaces, record-keeping etc., as well as staffing patterns involving chain of command. These factors would have to be examined to see how much more a location separate from Riverhead or Yaphank would require. The second factor is the problem of securing an adequate site in the vicinity of the Central Islip court complex.

Three sites are suggested for this area. The first is at Pilgrim State Hospital which the State is opposed to using. An investigation sometime ago showed that it could cost about as much to renovate the existing buildings on this site for jail use as it would to build new. However, the land is there.

The second is on the land held for the Court Complex in Central Islip. This would require use of the parking lot and construction of a parking garage to compensate for the loss of parking area. It would, however, be one location meeting the positive requirements given above.

The third site is the Medical-Surgical Building on Central Islips Hospital grounds, owned by the State, with an area of about

fifty acres. This too is adjacent to the court complex and would be adequate for the requirements given above. If the State gave the land and building for this purpose, inspection would be needed to determine if the building could be renovated for the proposed jail use at reasonable cost or if new construction is advisable.

The third area is the Yaphank County Center. A new jail adjacent to the minimum security facility could be constructed, and incorporate improvements requested by the Sheriff for this facility, i.e., support area expansion, space for property room, squad room, armory, etc. An addition in this location could serve the 15 day and under population and provide for classification and other functions. However, due to distances involved -- while less than those from Riverhead -- transportation costs would still be high, and scheduling problems hardly affected. Utilization by private and public legal and criminal justice personnel in relation to the courts would be just about as problematic as they now are with the Riverhead jail. Yet, the big plus for this site and area is land availability.

#### IV. ADMINISTRATIVE AND PROGRAM RECOMMENDATIONS

Frequent reference has been made to program and administrative recommendations that, if developed, would help both counties deal with their immediate and long term jail situations. As responsibility for these situations in some measure rests on the operations of the other aspects of the criminal justice system, the recommendations involve numerous agencies, non-profit as well as

public, not just the jails, and also the socio/cultural environments in which crimes occur. The order of presentation is governed by the over-riding necessity for immediate steps to deal with the overcrowding situations currently facing both county jails. Added measures for dealing with the long-term situations follow. It should be noted that the immediate steps also have long-term value. The recommendations will close with a comparison of the costs that may be incurred by doing nothing versus the costs of doing something.

Before proceeding a number of points should be made. Not every recommendation made is included in this summary, but those deemed most significant are. Second, the exemplary cooperation and work of the members of the Technical Advisory Committee and the various subcommittees were indispensable to this study. The Jail/Custody Definition and Policy/Advisory Committees, plus the subcommittees on Mental Health, Drugs and Alcohol Abuse, and for Suffolk on Central Intake, deserve a vote of appreciation. The reports of these groups are included as appendices to the full report. The Jail/Custody Definition Committee's report for example was a compendium of program models that was distributed to and discussed by the members as alternatives to incarceration.

Invariably a study of this kind, with limited manpower and limited duration, uncovers major issues and subjects of concern which go beyond the scope of the immediate work at hand. The need to complete this study in a timely fashion did not allow further work on these matters. Yet these issues, in the long run, can be

just as central to the problem of jail overcrowding as the immediate recommendations below. One such general issue was the matter of court processes as the various agencies contribute to movement of cases through the criminal justice system and affect length of stay in jail. In a number of ways this issue of length of stay emerged often but never became an explicit study area in itself. Some of the recommendations below relate to this focus, especially in dealing with the immediate future but more is needed.

Another such issue concerned the need for community anti-crime planning and programs. Again allusions on related subjects -- education for example -- were made often, but explicit discussion of this issue in itself did not occur. Yet the need for such planning is so evident that a recommendation was made accordingly. Finally, as another example, the matter of finding funds for programs to alleviate jail overcrowding was not explored by the TAC. Staff analysis showed that police accounted for a substantial majority of criminal justice system expenditures. Consequently a recommendation was made that a study was needed of police roles and expenditures in both counties. Each of these subjects receives further comment below.

Nothing in these recommendations should be construed as urging a policy of "softness" in punishment of criminals. Whatever is done must be consistent with the primary need to promote and protect public safety. Within this guideline, however, there should be some attempt to deal with jail overcrowding and the problems it poses.

### The Immediate Future

Since additional construction of jail space cannot be completed in time to handle the overcrowding problems of each county and both are having serious fiscal and budgetary problems, ideally the recommended solutions should not only reduce the need for jail cells but also be money savers. Fortunately a number of such steps can be taken. Some may demand a bit of initial investment, but they will repay the investment quickly, many times over, in comparison to doing nothing.

The recommendations are not presented by agency but in terms of system processing starting with special groups that should be examined in terms of what might be done to reduce their presence in the jail. This is a form of reflexive examination as it leads to recommendations on measures that can be taken in court processes to accomplish these purposes. Generally these are looked at via three phases of the process, pre-arraignment, arraignment, sentencing.

### Special Jail Populations

There are at least seven groups in the jail population for which some examination of processes might result in reduction. They are first-time inmates, multiple-entry recidivists, inmates incarcerated for more than 365 days, parole violators, defendants remanded for mental health competency examinations -- 730 exams, the pre-sentence investigation group and the time-served group. For each of these some reexamination of the processes involved in

their presence and/or the nature of the group's members could result in decisions that would reduce their presence in the jail.

#### First-Time Inmates

Examination of Suffolk's 1989 Annual Jail Report shows that over 3,600 of the 12,600 were first-time inmates. A number of observations made by TAC members raises the possibility that this number is higher than it need be. At the same time it should be remembered that both police and district attorney staff state that people are put in jail for relatively serious crimes, not for inoffensive ones. Nevertheless, it has been stated that bail is often set too high in relation to the offenses committed with the result that the defendants stay in jail at least until time for court appearance. It has also been stated that lack of proper treatment programs prevents diversion of some of these offenders from jail. Two steps may accomplish some diversion along these lines. One is giving appropriate offenders priority on admission to existing drug and alcohol treatment programs. The other is expansion of such programs -- now under way -- which similarly -- will give them priority. For both Nassau and Suffolk it is recommended that first time inmates be reviewed with these possibilities in mind.

#### Multiple Recidivists

Suffolk's jail in 1989 admitted over 2,300 who had been in the jail ten or more times. A classic case noted in Nassau was that of a male transvestite prostitute who had been in the jail over

fifty times. The questions in these cases center on who the recidivists are, the crimes for which they are admitted, and what is being accomplished by such incarceration and whether some other form of treatment or program is not more appropriate and possible. Quick examination of jail records giving answers to these questions could perhaps lead to different arrest, processing and treatment options besides those of arrest and incarceration.

#### Long-Term Inmates

Nassau Sheriff's Annual Report for 1989 noted that 173 of the discharged inmates had been in jail for more than 365 days. A sample showed that the average stay had been 527 days. A 1989 year-end count for Suffolk showed over 30 such cases still in jail, some for thousands of days. There are a number of reasons for these cases including a variety for trial delays, mental health and medical reasons with disagreements between State and local authority over competency to stand trial, etc. In both Counties a review of these cases should be made as a group and attempts made to achieve agreements with the courts and with appropriate State agencies as to proper dispositions of cases. A re-evaluation that would lead to a different disposition of only 30 such cases in Nassau for example, could provide roughly 10% of the reduction needed to deal with the 1990s peak jail projection.

#### Parole Violators

Nassau and Suffolk house hundreds of State parole violators each year. TAC members report that State decisions on disposition of these cases -- return to State prison, or re-release on parole -

- are not handled expeditiously. Immediate efforts to ascertain the causes of delay and work out means of moving cases faster should be made. A bi-county representation to the State on this might be more effective than one made by each acting alone.

#### 730 Exams

One of the problems with competency examinations can be the amount of time taken to get action taken by the court after the results are returned. Both Nassau and Suffolk report differing experiences with this process, with Nassau apparently having more problems in this respect than Suffolk. A review of the process of securing the exam, getting it into the judge's hands and having him act on it, is recommended.

#### Pre-Sentence Investigations

Each year thousands of pre-sentence examinations are ordered from each county's Probation Department as part of a judge's determination of sentence as set out by law. In 1989 Nassau sent over 1,000 sentenced persons to State prisons and Suffolk sent over 750. In addition, many others of those tried and convicted, awaited sentence while in the county jail. It has been reported variously that the preparation of such a report from the time of sentence until presentation to and action by the judge takes four to six weeks, with the major part of the time needed for report preparation.

Review of this process with Probation personnel in both counties, and with others in their criminal justice systems have



brought differing responses as to what can be done to shorten this time. However, some agree that by adopting procedures that will not interfere with the prosecution or defense of a case, these reports can be started earlier with the result that those convicted would spend less time in county jail before transfer to State prison or receiving a sentence of probation.

If two weeks could be saved on investigation for just the State transfer cases, this would be equivalent to saving 40 beds a year in Nassau and 30 in Suffolk. At a cost of \$100 a day, the yearly savings amount to nearly \$1,500,000 for the former and over \$1,000,000 for the latter. Savings from expediting probation for convicted offenders would add to these amounts. Consequently it is recommended that each county immediately assemble a task force to work out the proper procedures and expand and hire additional staff if necessary to start doing these investigations and reports on an expedited basis. As this is done, the effectiveness of the procedure can be monitored by the task force and changes made as necessary. This is a case where a relatively small investment may yield a large return.

#### The Time Served Group

There is another group of inmates, mostly in for a short period and perhaps among some of the others above, who when brought before a judge are given time served and probation. The argument here is that if the sentence to be given is essentially probationary, it can be offered quickly without initial incarceration. Basically what is needed here is some agreement on

identifying cases that will have this outcome as they enter the arraignment process. The ability to do this depends upon time for the investigation process to establish the criminal record -- if any -- of the defendant and his community roots, so that an appropriate recommendation can be made to the judge and the staff of the district attorney.

### Court Processes

In terms of relieving immediate pressures on the jails, as well as serving long term needs a number of suggestions for changes in court processes emerged from work with the Technical Advisory Committee and with staffs of a number of agencies. These are presented in terms of three phases of court processes.

1. Pre-arraignment when the defendant is brought to court to await initial appearance, and investigations are made to determine his criminal record -- if any -- and his community roots in regard to family, employment, friends, residence, etc.

2. Arraignment consisting of appearance before a judge with decisions to be made on plea to the charges, on release-on-recognizance, bail, incarceration, competency to stand trial, etc.

3. Sentencing, if guilty by plea or trial, with decisions within the latitudes set by law relevant to conviction charges, on types and length of sentence.

Some of the recommendations below depend upon the availability of treatment programs, mainly drug and alcohol outside of the criminal justice system, some of which are provided by non-profit

agencies. Some of the available slots in both counties are used for people coming from jail or the courts. However these programs are now "oversubscribed". Without expansion or a change in policy, more clients from the jails and courts could not be easily accommodated. The State is now providing additional funds for such programs, some of which may be available within the next few months. Even with this added funding and program expansions, both counties must make policy decisions on how the money is to be spent overall, whether for clients from the criminal justice sector or for others.

#### Pre-Arraignment Recommendations

Two significant problems encumber the process of pre-arraignment investigation of defendants, perhaps not equally in both counties, but nevertheless existing. One is the scant time given to Probation investigators, Legal Aid attorneys, defense counsel to establish the background of defendants so that appropriate recommendations can be made to the court on release and bail policies. Given a bit more time, Legal Aid attorneys feel they can do a better job on this aspect and thus secure quicker release of some clients. It has been suggested that as a help, non-detention cases be scheduled ahead of those detained, so that more time is available for securing bail and support from family, friends, employers.

The second problem centers on the utilization of mental health and drug/alcohol personnel to provide evaluation of defendants before court appearance. Legally, the report to the court is the

responsibility of Probation officials. However, in both counties, staff in these other agencies believe they can provide help on evaluation and program availability that would result in some diversion of population from the jail to arraignment. Willingness to work with Probation Staff has been expressed.

#### Arraignment Recommendations

Suffolk County's arraignment process is marked by a major deficiency. Some defendants are not eligible for use of Legal Aid attorneys because their income is too high. When arraignment before a judge occurs, for one reason or another they may not have secured legal representation. Nassau County automatically provides a lawyer for such defendants and assists the defendant in securing his own lawyer. However, in the meantime, the defendant may be remanded to jail to await trial, an outcome that may have been avoided with legal representation at arraignment. To this time, both the courts and the bar in Suffolk County have not been able to work out an agreement to follow Nassau's practice. The absence of such agreement results in additional pressure on jail population and capacity.

Nassau County has instituted a pre-trial conditional release program with supervision, and now wishes to expand this program to at least include more DWI offenders and to offer community treatment of some substance abuse offenders. These would be additions to its ROR recommendations. Suffolk County has an extensive ROR program with thousands of releases but will also benefit from implementation of an intensive supervised pretrial

release program for drug offenders which has just been approved. Suffolk's Department of Probation estimates that a program of this kind could result in a 50 to 75 inmate reduction. Even the lower figure would result in a saving of more than \$1,800,000 a year in jail costs. Of course this would be offset by need for new staff and associated costs, which would be much lower in total.

Legal aid attorneys have also observed that because of public concern about crime, judges may be setting much higher bail than formerly where minor offenses are involved. The attorneys believe that there is a disproportion between the amounts of bail and the seriousness of the offenses committed. As a result offenders who were formerly released on ROR or low bail and then appeared for trial, now sit in jail while awaiting trial. The time so spent by these offenders is not long because the crimes committed -- misdemeanors or less -- are not major, but the net result of a number so incarcerated is to raise jail population. It is suggested that a quick review be made of these situations in each county and that guidelines for appropriate judicial action be developed and discussed.

#### Sentencing Recommendations

At the level of sentencing recommendations, the problems noted above of available treatment options in existing programs and the needs for county decisions on priority come to the fore. Immediate lack of placement opportunities in drug, alcohol and mental health community based programs severely limit what can be offered as an option to judges for imposing sentence, and much of what might be

done, accordingly has to be viewed in terms of creating new programs in the long term, at least two to three years down the road. Nevertheless there are some things that can be done.

Expansion of the DWI Jail Alternatives Program for women has been approved in Suffolk County, with construction to be completed. As noted Suffolk has approved an intensive supervised release program for drug offenders. This could be done for Nassau as well and in both counties should be administered cooperatively with the respective drug and alcohol agencies. Similar type split sentence programs for felony drug offenders also could be developed. Thus, these more serious drug offenders would receive punishment with part of their sentence in jail and part spent on probation with supervision and treatment.

Both Nassau and Suffolk are interested in expansion of electronic surveillance -- home detention -- as an option. The Probation Departments of Nassau has expressed such interest and so has Suffolk's Conditional Release Commission, the county's local parole board.

Finally, more effective consultation among agencies in passing sentencing recommendations to the court should be achieved. Probation has legal responsibility for providing pre-sentence investigations for the courts. Mental health and drug and alcohol agencies do not have this responsibility. Suffolk's Jail Mental Health group has an established and distinguished record and has developed effective relations with the District Attorney's office, and this in turn has influenced the latter's position on cases.

Similar working relationships should be sought in Nassau County for the more recently established Forensic Services Staff of the County Mental Health Department, which services the jail population. Use of the information of these agencies and of the drug/alcohol organization's data should be an important component of pre-sentence investigations and information used for sentencing.

### Long-Term Programs

The use of "long-term" does not infer that the start of the recommended programs should be delayed. Instead the inference for the most part is that getting under way should begin as soon as possible; that effort will take time and so will results. Nor should "long term" be imagined as reference to an indefinite future. In the context of this report the reference is to investments of effort that would begin to pay dividends starting roughly two years from now in some cases, if not sooner. There are eight general long-term recommendations.

#### 1. Court Processes - Length of Jail Stay Study

The section recommending immediate steps referred to review of special groups in the jails and changes in court processes that could affect the level of jail population. There are longer term data that indicate an underlying need for a thorough review of court processes.

The data in this report show an increasing length of stay in jail over the last six to seven years, especially for pre-trial defendants. Not all of this can be explained by the increases in

drug arrests, and the rest of the increase is not clearly understood. Both counties are experiencing this phenomenon. Controlling or rolling back this increase in length of stay is essential if increased need for jail construction and staffing is to be avoided. Consequently it is recommended that both counties find out why length of stay is increasing, compare their results and try to do something about it.

## 2. State Roles - State Facilities

The basic role of the State in setting the framework for operation of the criminal justice system is evident in many phases of the study. State law defines criminal acts, sets procedures for trying defendants and the sentences to be given for those found guilty. State law mandates those parts of the criminal justice system that must be operated by each county, providing for jails, district attorneys, sheriffs, etc. The State administers the judicial system and assigns judges to its criminal parts. State law defines those criminals who should be sent to State prisons - - those sentenced to more than one year -- and those who can be incarcerated in county jails. The State Department of Corrections is responsible for pick up of those sentenced to State prisons and for parole violators who must go back to these prisons. The State Parole Board sets procedures for hearings on parole violators, who stay in County jails while awaiting hearing. State hospitals receive and examine mentally ill jail inmates, and State law and administrative procedures are used to determine competency and whether changes of jurisdiction from local jail to State mental



hospital custody should occur. The State also provides local funding for many criminal justice programs, especially in the areas of probation and drug and alcohol abuse services.

Undoubtedly more roles could be cited. Yet the work of the TAC has shown areas in which changes in State performance could be advantageous. As well, staff analysis, building on TAC comments, has resulted in recommendations for utilization of State facilities in the bi-county region that would help greatly in meeting needs. The facility recommendations are presented first.

a) A Bi-County Residential Treatment Center for  
Chemical Abusers

Residential centers for short and longer term drug and alcohol abusers who need treatment as an alternative to jail, emerged as one of the major needs. Local programs are overwhelmed by the demand for such services, and there are simply not enough places or beds for these abusers, with the result that they often go untreated and either revert to or continue to follow a life of narcotic involvement, with all its consequences. There is also need for continuing supervision for those discharged from such centers if the benefits of such treatment are to be maintained. While programs of this kind are not inexpensive, they cost far less per individual than the \$100 a day involved with incarceration in local jails.

The State is providing additional local funds for drug and alcohol programs -- some \$7,000,000 statewide. While welcome, these added local amounts are not adequate to meet the need. With

the State abandoning its proposals for 1,000 bed upstate treatment centers for drug abusers, it is time to consider converting use of these funds for residential treatment centers on Long Island. This recommendation is reinforced by the fact that either or both of two readily available facilities can be used for this purpose, Pilgrim State or Central Islip Hospitals. The State could donate use of needed buildings and with the diverted funds pay for physical conversions needed -- if any. Either facility can be readily converted to this purpose and staffed within a year. Both Nassau and Suffolk could confer and decide on the administration and cost-sharing components of such a facility, and State operating aid should also be available.

b) A Bi-County Jail Hospital for Mentally Ill  
Chemical Abusers

In conjunction with the recommendation for a residential drug treatment center, a bi-county jail hospital for mentally ill chemical abusers is also recommended. Many chemical abusers are mentally ill and vice-versa. The jails do not provide the proper settings, facilities and staff for treating these persons. With the State abandoning its proposals for 1,000 bed treatment centers for drug abusers, but still providing added funds for treatment, it would be time to explore the possibility of creating a treatment center on Long Island -- for jail inmates from both counties who are mentally ill chemical abusers. The funding, staffing, and location of such a center should be carefully explored, possibly in conjunction with the previous

recommendation. Again, the State's Pilgrim State campus or Central Islip Hospital -- where programs are being cut back -- might be used for this purpose.

### 3. Expansion of DWI, and Drug and Alcohol Treatment Programs as Alternatives to Incarceration

These were suggested in part in the section on Immediate Future. As noted there, an expansion of DWI programs at the jails, especially for women has begun. Equally, expansion of intensive supervision for drug addicts, alcoholics and others is recommended.

### 4. Jail Rehabilitation Programs

Analysis of jail programs showed that most inmates were not involved in rehabilitation efforts of any kind. Admittedly, since most inmates are in jail for short periods only, rehabilitation efforts will not be effective for them. However, jail data do show a sizable group in both counties incarcerated for more than six months. While this length of sentence points to commission of more serious crimes by these inmates, if rehabilitation is to take effect, this should be the group involved. it is recommended that this possibility be explored.

### 5. Community Release Plan and Follow-Up

Many involved in treatment plans in the jails are released with references for employment, treatment programs, social services, etc. However, once a person is out of jail, usually there is no follow-up to see how he/she is doing unless there is a specific probationary sentence also involved. Thus a person can be released back to the same socio/cultural environment and

circumstances in which he/she formerly existed without having any additional means of rehabilitative or therapeutic support. Criminal justice, human relations and social service agencies might wish to discuss ways of handling this situation. If possible ways of reinforcing the roles of town and private non-profit agencies to assist in follow-up activities should be investigated. Perhaps these suggestions should be part of the next recommendation.

#### 6. Community Anti-Crime Programs

Jail data show that a disproportionate percentage of young black men, ages 20-29, have been in jail in both counties. The proportions are so large, about a quarter of the total, that they point to a major social environmental problem compounded by poverty and inadequate education, and marked by the presence of drugs in both white and black communities of both counties. It is recommended that a special anti-crime task force be assembled to plan a campaign of coordinated efforts involving the schools, the police, the towns and all agencies of county, state and local government, a campaign that will reclaim these areas from drug dealers and users and street criminals and offer hope and safety to the children and adults of these afflicted areas.

#### 7. Police Roles and Expenditures

The recommendations above will involve some expenditure for added staff, but they offer the opportunity to save much more. Yet in looking at total criminal justice expenditures for both counties, police expenditures stand out as the largest components for 1988 at \$301,000,000 out of \$403,000,000 total criminal justice

expenditures in Nassau, and \$233,000,000 out of \$336,000,000 in Suffolk. Relatively, whatever is done with improving efficiency and effectiveness in other parts of the system still leaves the largest part untouched. As funds for other parts of the system are in short supply -- a point that was made repeatedly in discussions -- analysis along these lines is important. With this realization, a staff recommendation is made for a study of police roles and activities.

The problem of dealing with this has both immediate and long-term implications. Whatever is done must have the promise of not lowering the quality of public safety and also have the premise that the quality of such safety can be improved. Is this possible? And at lower costs?

In examining these questions two lines of inquiry should be followed, in relation to the major foci of police activity. These foci center on dealing with the occurrence of criminal activity, which has a number of aspects, and on quality of life activities of the police which the public has come to expect. In each case, questions should be raised about whether the right jobs are being done, and whether police resources are being used most effectively for these jobs. In relation to quality of life activities additional questions have to be raised as to whether the police are the proper agents to be involved in all the activities listed and whether other means of accomplishing these objectives at lower cost might not be found.

Dealing with the occurrence of criminal activity is not only

a matter of arresting offenders. There are aspects of crime prevention, of pre-emptive policing that can be just as important. The recommendation above for community anti-crime plans and programs could involve, for example, consideration of the value of reinforced protracted police presence in a community to deter crime, of providing increased community level policing overall. On the other hand, as noted earlier, questions could be raised about the value of repeated arrests of minor offenders -- many for so-called "victimless" crimes --arrests that clog the calendars, take up police time, personnel and jail time and have no impact on the offender. In these cases, the uses of the law, the practices of the courts and prosecuting agents and the availability of resources and alternatives to deal with such cases must be brought into focus. Thus, these arrests are not a matter of police performance alone, but involve the policies and resources of many agencies in the criminal justice system.

With regard to quality of life concerns note the following. In addition to the tens of thousands of criminal incidents reported with which the police are involved, there are hundreds of thousands of non-criminal incident reports. In 1988 Suffolk County police received over 423,000 such reports and were involved with a good many, if not most of all of them. There were 94,000 defective alarms, over 12,000 abandoned autos, 4,000 animal incidents, 58,000 boating incidents, 37,000 injured or sick persons and 43,000 + minor vehicle accidents. Undoubtedly Nassau County could show somewhat similar data.

Undoubtedly many such activities require a uniformed police presence. It is hard to know if an alarm is false until it has been answered. Yet if there are repeated false alarms from the same sources, some analysis could be made of ways of cutting down on these. Nassau and Suffolk for example already have a policy of not answering false alarms if there have been three false alarms from the same source within ninety days. There are also fines for repeated false alarms but the problem persists, takes up much police time and could stand more study.

While a motor vehicle accident may require a uniformed police presence, does it always require a multiple of such presence? If a traffic light isn't functioning, does it always require a highly paid uniformed police officer to control traffic until repairs are made? On the other hand it could be argued, that with officers already on the job, the quickest, safest and most efficient way of responding to many of these incidents is with the closest available resource. These matters cannot be analyzed out-of-hand but require careful consideration.

The services of a uniformed police officer cost more than \$50,000 a year on the average. Are the services of only uniformed officers who are trained and paid to fight crime, required to deal with abandoned autos, defective traffic lights, all minor accidents, etc. Couldn't these functions and others be handled as well by a trained cadet force or some other form of assistance? If this were done, wouldn't the uniformed police then have more time to fight crime and thus provide more public safety? Wouldn't

the overall costs of reassigning the responsibility for answering to some non-criminal incident requests for help thus result in lower costs instead of constantly increasing ones?

Given the costs of police services, the serious fiscal position of both counties, and the overall needs of the criminal justice system this is an avenue of study that needs to be followed. Consequently it is recommended that both counties, either separately or together undertake this study.

This study would encompass both criminal and quality of life activities, the analysis of policies to be followed, strategies employed, means used and distribution of resources to accomplish objectives. It is not expected that there will be easy answers. In fact, if uniformed police were more consistently used for crime fighting, an increase in criminal apprehension and jail population might occur, but this would be a consequence to be evaluated in terms of need, results and costs for the system and for local government as a whole.

#### 8. Monitoring, Analyzing, Evaluating, Planning

This study has shown the necessity of having computerized data at hand to allow monitoring various aspects of the criminal justice system. Nassau County has done a fine job of producing such data and Suffolk is just beginning to install a computer system for such purposes. However, aside from the fine analytical studies prepared in both county Probation Departments, little has been done with these data beyond producing tables showing volumes of case processes and various characteristics of



the people involved. This is not sufficient.

Governments that spend \$300,000,000 to \$400,000,000 of the public's money, need analysis and evaluation of results to discover what is happening over time, understand why -- if that is possible -- and to project what is ahead so that there is time to respond with appropriate measures, if that is possible. Present agencies for criminal justice coordination in both counties have been given responsibilities for grants program management. This is an administrative role that encompasses projects sometimes peripheral to the central functions of criminal justice agencies. A strong presence is needed for deciding what is crucial in reporting, for monitoring, analyzing, evaluating and presenting proposals for a planned response to the adverse events of criminal behavior in our communities. To make this effective there must be a strong and continued involvement of the executive and legislative arms of both counties with this function.

#### V. THE COSTS OF DOING NOTHING

##### THE COSTS OF DOING SOMETHING

There are those who would advocate no added programs for criminals. They believe that rehabilitation and treatment programs are not effective and cost a lot of money. There are pro and con arguments over this issue. Yet, many of the recommendations for administrative change and new programs are not concerned with the issue of punishment but with the need for incarceration of defendants until the issue of guilt is decided, and with the need

for more rapid processing of cases so that jail occupancy can be reduced.

Suppose that nothing was done in either county: that Nassau jail population climbed to a 2,900 level, some 400 above the 2,500 capacity available for the next few years; that Suffolk's jail population increased to 1,700-1,800, about 250 above the capacity that would be available with another 240 bed jail. What would the jail costs be? For Nassau 400 more inmates at \$100 a day would cost \$14,600,000 a year. For Suffolk, 250 more inmates at \$100 a day would cost \$9,125,000 a year.

A 1988 Nassau County Probation Department analysis of the cost of pre-trial services showed the following. An ROR program at \$79 a report for 4,367 cases cost \$648,501. With State aid, the net cost to the County was \$346,980. If these ROR defendants had been in jail on an average of two days each, the cost to the County would have been \$873,400. Nassau also has a pre-trial supervised release program which, similarly is operated with substantial financial benefit to the County.

If these program suggestions involved the hiring of as much as one hundred persons for clerical and professional tasks, the average cost per employee might be about \$35,000 and \$3,500,000 overall. With many of these employees hired for probation and drug and alcohol programs, a substantial amount of State aid would be received, reducing the total cost significantly. When inmates are in jail, there is not much State aid available. Thus the costs that have to be compared are annually \$14,600,000 for Nassau and

\$9,125,000 for Suffolk with an annual net program investment for each county that should come to less than \$3,000,000. These calculations for county costs if nothing is done with programs, do not include the added expense for building more jails.